

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUCE PARKER, # 593090,
a/k/a Bruce-X Parker,

Plaintiff,

v.

MITCHELL GAINER, et al.,

Defendants.

Case No. 1:16-CV-1302

HON. GORDON J. QUIST

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed Magistrate Judge Phillip Green's July 31, 2019, Report and Recommendation recommending that the Court grant Defendants' motion for summary judgment (ECF No. 84) in part and deny it in part. Specifically, the magistrate judge recommended that the Court grant the motion as to Plaintiff's access-to-the-courts claim against Defendant Gainer and Plaintiff's Eighth Amendment claim against Defendant Roy regarding closing of the cell door on October 1, 2016, and deny the motion as to all other claims. The Report and Recommendation was duly served on Defendants on July 31, 2019, and on Plaintiff on August 1, 2019. No objections have been filed pursuant to 28 U.S.C. § 636(b).

THEREFORE, IT IS HEREBY ORDERED that the July 31, 2019, Report and Recommendation (ECF No. 98) is approved and adopted as the Opinion of the Court. Defendants' motion for summary judgment (ECF No. 84) is **GRANTED IN PART AND DENIED IN PART** Plaintiff's First Amendment access-to-the-courts claim against Defendant Gainer and Plaintiff's Eighth Amendment claim against Defendant Roy based on the closing of the cell door on October 1, 2016, are **dismissed with prejudice**. The case will continue on all other claims.

Dated: August 27, 2019

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE